



July 14, 2003

The Honorable Sam Brownback  
303 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Brownback:

Thank you for your leadership in the introduction of the *Consumers, School and Libraries Digital Rights Management Awareness Act of 2003*. Amazon.com seeks to be the world's most customer-centric company and accordingly, appreciates your interest on behalf of American consumers in drafting this legislation.

Well over 35 million people have purchased products from our site and we have been able to succeed by building superior technology and world-class fulfillment capabilities. But we want to deliver even more for our customers and therefore, pay close attention to issues that affect consumer awareness and the availability of products to consumers. Thus, the provisions of the Act which are of direct interest to Amazon.com and our customers include Section 4 – Consumer and Educational Community Awareness and Section 6 – Secondary Markets for Used Digital Media Products:

- *Section 4 – Consumer and Educational Community Awareness:*

Amazon.com supports your efforts to ensure that consumers are fully informed of restrictions that may be placed on digital media products and look forward to working with the Federal Trade Commission to develop voluntary standards by which our customers can be informed of such restrictions on their legally purchased products.

- *Section 6 – Secondary Markets for Used Digital Media Products:*

Amazon.com is perhaps best well known for its direct to customer sales but we also welcome third parties to list items for sale on our site. We have designed our websites to allow millions of new, used, and collectible products to be sold through our Merchants@, Marketplace, Auctions, and zShops programs. We are strong advocates and supporters of the first sale doctrine as applied by current law to physical goods. We believe offering used goods for cheaper prices is good for both customers and creators because it will encourage the buying public to try new authors, musicians, and products which they may not have previously tried, thus exposing creative products to a broader audience and ultimately resulting in increased legitimate sales.



As more media products are offered and consumed in legal digital formats, we believe consumers are best served by applying the first sale doctrine to digital works. On the other hand, Amazon.com certainly would not support provisions that would encourage or support piracy, so we appreciate that your bill addresses this concern by permitting the sale of a used digital product only if the technological means are available by which to destroy the original copy.

In sum, Senator Brownback, Amazon.com supports these two provisions as important measures for consumers that simultaneously respect the interests of rights holders. Thank you again for your thoughtful approach to these important matters.

Sincerely yours,

Paul Misener  
Vice President  
Global Public Policy